



UST and SAF Bulletin

Arizona Department of Environmental Quality

Subject: UST Releases and Suspected Releases

Effective: April 11, 2006

Item: 06-01

TYPE

Provisions of SB 1306 Impacting State Assurance Fund Volunteers

BACKGROUND

A.R.S. §49-1001

Selected UST statute and rule citation excerpts regarding releases and suspected releases

CONTENT

See attached summary.

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SELECTED UST STATUTE AND RULE CITATION EXCERPTS REGARDING RELEASES AND SUSPECTED RELEASES

A.R.S. §49-1001. Definitions

15. "Release" means a spill, leak, emission, discharge, escape, leach or disposal of a regulated substance from an underground storage tank into groundwater, surface water or soils.
16. "Suspected release" means any of the following:
 - (a) The discovery by owners and operators or others of released regulated substances at the underground storage tank site or in the surrounding area.

A.R.S. §49-1004. Reporting requirements

- A. The operator and owner of an underground storage tank shall notify the department of each release or suspected release from the tank as soon as practicable but no later than twenty-four hours after the release or suspected release is detected.
- C. Notice by the operator and owner required by this section may be made orally or in writing but shall be followed within fourteen days by a written report to the department that a release or suspected release has been detected. The written report

ARIZONA ADMINISTRATIVE CODE (A.A.C.)

A.A.C. R18-12-101. Definitions

"Release confirmation" means free product discovery, or reported laboratory analytical results of samples collected and analyzed in accordance with the sampling requirements of R18-12-280 and A.A.C. Title 9, Chapter 14, Article 6 which indicates a release of a regulated substance from the UST system.

"Release confirmation date" means the date that an owner or operator first confirms the release, or the date that the owner or operator is informed of a release confirmation made by another person.

A.A.C. R18-12-251. Suspected Release

- A. 24 hour notification. An owner or operator shall notify the Department, within 24 hours after discovery of a suspected release,
- C. Requirement to investigate suspected releases. Within 90 calendar days from the suspected release discovery date or the suspected release notification date, whichever is earlier, an owner or operator shall complete the investigation requirements of this subsection and confirm whether the suspected release is a release. The investigation shall include:
 1. Tightness tests of the tank and all connected piping meeting the requirements of R18-12-243(C) and R18-12-244(B). Further investigation is required if the results of the tightness test indicate that the system is either not tight or contaminated media is the basis for suspecting a release.
 2. If further investigation is required under subsection (1), a site check meeting the requirements of this subsection must be performed. An owner or operator shall measure for the presence of a release where contamination is likely to be present and shall consider the:
 - a. Nature of the regulated substance;

- b. Type of initial alarm or cause for suspicion;
- c. Type of backfill;
- d. Depth to groundwater; and
- e. Conditions of the regulated substance and the site in identifying the presence and source of the release.

D. Release Confirmation. If a release is confirmed, the owner or operator shall notify the Department as required by R18-12-260(A), cease further compliance with this Section, and perform corrective actions under R18-12-260 through R18-12-264.01.

- E. 14 day report. The owner or operator shall submit a written status report, on a form provided by the Department, within 14 calendar days after the suspected release discovery date or the suspected release notification date, whichever is earlier. If the suspected release is confirmed to be a release within the 14 day period, the 14 day report is satisfied when the report required by R18-12-260(C) is submitted. If known on the date the 14 day report is submitted, an owner or operator shall identify the:
1. UST that is the source of the suspected release;
 2. Nature of the suspected release;
 3. Regulated substance suspected to be released; and
 4. Initial response to the suspected release.

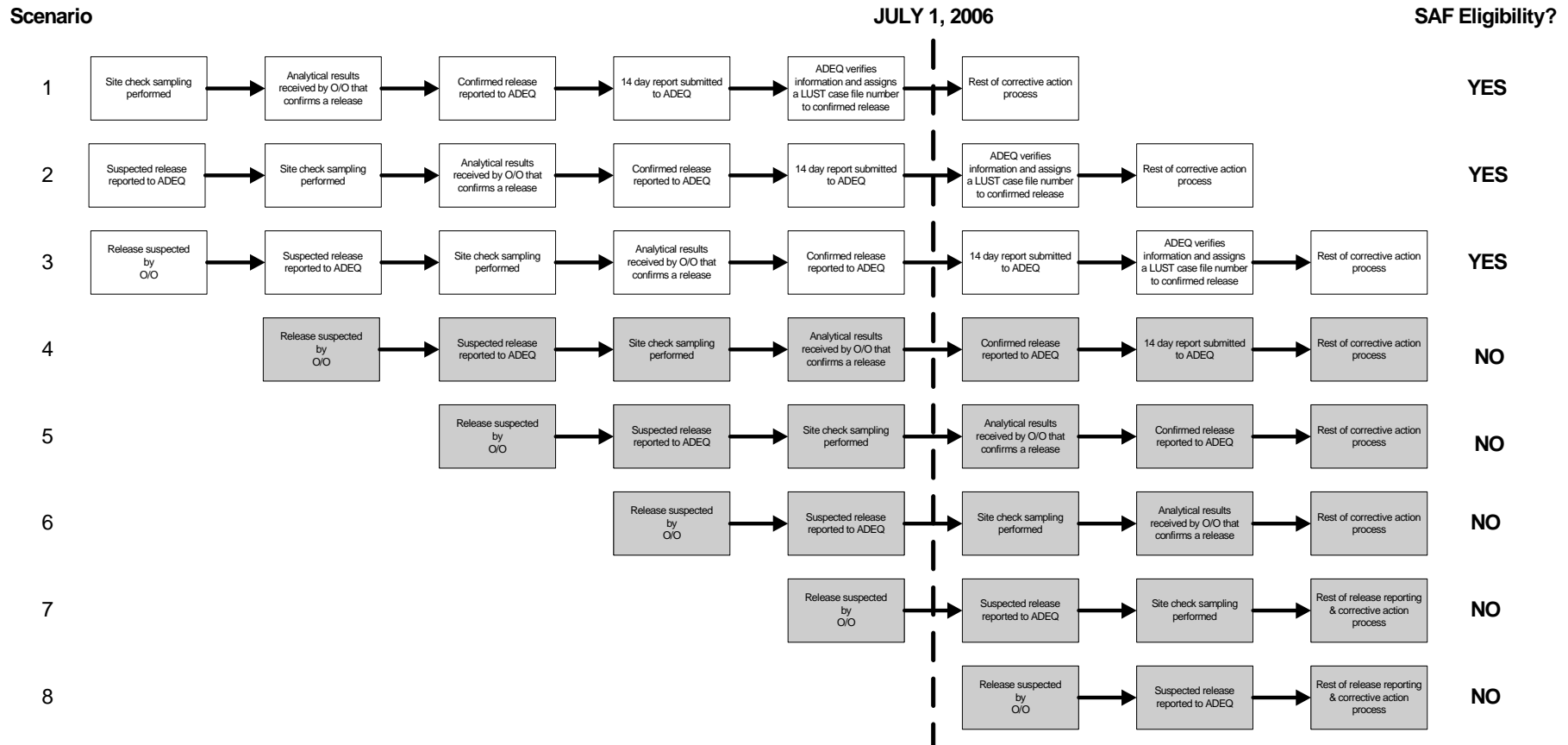
A.A.C. R18-12-260. Release Notification, and Reporting

- A. 24 hour release notification. An owner or operator shall notify the Department within 24 hours after the release confirmation date of the following:
1. A release of a regulated substance;
 2. A spill or overfill of petroleum
- C. 14 day report. An owner or operator shall submit a report, on a form provided by the Department, within 14 calendar days after the release confirmation date. The report shall include:
1. The nature of the release, and the regulated substance and the estimated quantity released;
 2. The elapsed time over which the release occurred;
 3. A copy of the results of any tightness test, meeting the requirements of R18-12-243(C) or R18-12-244(B), performed to confirm the release;
 4. Laboratory analytical results of samples demonstrating the release confirmation; and
 5. The initial response and corrective actions taken as of the date of the report and anticipated actions to be taken within the first 90 calendar days after the release confirmation date.

A.A.C. R18-12-272. Assessing the UST Site at Closure or Change-in-service

- A. Before permanent closure or a change-in-service is completed, owners and operators shall measure for the presence of a release at the UST site by taking samples for laboratory analysis. Samples shall be obtained in the areas where contamination would most likely occur, or where stained soils, odors, vapors, free product, or other evidence indicates that a release may have occurred. Measurement

SAF ELIGIBILITY CUT-OFF FOR NEW UST RELEASES



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 (a) The discovery by owners and operators or others of released regulated substances at the underground storage tank site or in the surrounding area.
 (b)

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